

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,)
)
)
Plaintiff,) CRIMINAL NO. 08-30170-DRH
)
vs.)
)
MARLON MANUEL,)
)
Defendant.)

ORDER OF FINDING OF THIRD-PARTY INTERESTS
(FINAL ORDER OF FORFEITURE)

On March 30, 2009, this court entered an order for forfeiture against defendant Marlon Manuel for the following property which had been seized from said defendant:

A. ASSORTED JEWELRY CONSISTING OF:

1. **Chain: 14w gents chain necklace;**
2. **Benny & Co. diamond chronograph watch w/10 “floating” diamonds;**
3. **14k Horseshoe in a circle motif diamond pendant and chain; and**
4. **14k clapping hands in horseshoe motif diamond pendant and chain.**

B. One 2006 Mercedes Benz CLS 500, VIN: WDDDJ75X16A021106;

C. One 1961 Oldsmobile Starfire, VIN: 616C01229;

D. One 1966 Chevrolet Impala SS, VIN: 16437STL025732;

E. \$75,000.00 in United States Currency; and

F. \$7,890.00 in United States Currency.

Said order further provided that the government would provide an opportunity for persons to claim a legal interest in the property pursuant to 21 U.S.C. § 853(n)(1).

The court notes that notice was published by the government on an official government website, www.forfeiture.gov, for 30 consecutive days beginning July 20, 2009, and ending August 18, 2009. No petition or claim was filed by any third party against said property except for the claim of Mercedes Benz Financial Services d/b/a DC Financial Services America LLC as to the 2006 Mercedes Benz CLS 500, VIN: WDDDJ75X16A021106.

Consequently, the court hereby finds, pursuant to 21 U.S.C. § 853(n)(7), that no third-party petitions were filed and that the United States of America has clear title to the following property that is the subject of the Order of Forfeiture filed on February 10, 2009, namely:

A. ASSORTED JEWELRY CONSISTING OF:

- 1. Chain: 14w gents chain necklace;**
- 2. Benny & Co. diamond chronograph watch w/10 “floating” diamonds;**
- 3. 14k Horseshoe in a circle motif diamond pendant and chain; and**
- 4. 14k clapping hands in horseshoe motif diamond pendant and chain.**

- B. One 1961 Oldsmobile Starfire, VIN: 616C01229;**
- C. One 1966 Chevrolet Impala SS, VIN: 16437STL025732;**
- D. \$75,000.00 in United States Currency; and**
- E. \$7,890.00 in United States Currency**

The United States Marshal shall dispose of the foregoing property according to law.

With respect to the 2006 Mercedes Benz CLS 500, VIN: WDDDJ75X16A021106, with all attachments, components, and accessories thereon, the Court and the United States recognize that Mercedes Benz Financial Services d/b/a DC Financial Services America LLC has a lien to said vehicle as described in its Petition, that Mercedes Benz Financial Services d/b/a DC Financial

Services America LLC is an "innocent owner" with respect to this forfeiture, that said lien is thereby superior to the forfeiture interest of the United States in said vehicle, and that the amount of any equity remaining in said vehicle to the United States after payment of said lien would not justify the continued forfeiture of the vehicle by the United States. Said vehicle is hereby ordered released from forfeiture, and the United States Marshal shall release custody and possession of said vehicle to Mercedes Benz Financial Services d/b/a DC Financial Services America LLC or to its attorney, and the United States shall not seek reimbursement from Mercedes Benz Financial Services d/b/a DC Financial Services America LLC for the costs of storage for said vehicle. Mercedes Benz Financial Services d/b/a DC Financial Services America LLC shall sell said vehicle at a commercially reasonable sale, shall report to the United States Attorney's Office at Nine Executive Drive, Fairview Heights, Illinois 62208 within twenty days of said sale whether or not there were any surplus proceeds from said sale above and beyond the amount owed to Mercedes Benz Financial Services d/b/a DC Financial Services America LLC, and shall pay any said surplusage within said twenty-day period to the United States Marshals Service at 750 Missouri Avenue, East St. Louis, Illinois 62201. The United States Marshals Service shall then dispose of said surplusage as forfeited funds pursuant to law.

DATE: October 2, 2009

/s/ *David R. Herndon*

**Chief Judge
United States District Court**